



## STATE OF UTAH CONTRACT

Amendment # One to Contract # 06-9108

TO BE ATTACHED TO AND MADE A PART OF the above numbered contract by and between the State of Utah

Department of Transportation		Proc./Price District		referred to as STATE and	
Agency		Division			
Nielson Construction Co.	50751G	Bobby Peirce			
Company Name	Vendor Number	Contact Person			
825 North Loop Road	Huntington UT 84528	(435)	687-2494		
Address	City State ZIP Code	Phone #			

referred to as CONTRACTOR

THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

- The **contract period** is amended
  - from: N/C (Original starting date)
  - to: N/C (New ending date)
- The **dollar amount** of change to the contract for this amendment is: \$ N/C.
- The **total contract amount** is now changed:
  - from: \$ N/C (current contract amount)
  - to: \$ N/C (current contract amount +/- amendment amount)
- Other changes** to the contract include:

The contract now reads:

The contract is amended to read:

Due to the oil prices to make the asphalt and the cost of fuel to deliver see new attached price sheet.

5. **Effective Date of Amendment:** 15 - June- 2006.

All other conditions and terms in the original contract remain the same.

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

**CONTRACTOR**

**STATE OF UTAH**

Contractor's Signature

Date

Tracie Montano, Procurement Manager

Date

Contractor's Name

Director, Division of Purchasing

Date

Title

Director, Division of Finance

Date

Debra Boulton  
Agency Contact Person

965-4070  
Phone #

SEP 18 2006  
PROCESSED BY  
DIVISION OF FINANCE

### ATTACHMENT C: ITEMIZED PRICE LIST

<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
9.5 MM Hot Mix Asphalt Thompson Station Routes I-70 & SR 128	\$ <u>61.08/ton</u>
9.5 MM Hot Mix Asphalt Green River Station Routes 19, 24 & I-70	\$ <u>53.76/ton</u>
9.5 MM Hot Mix Asphalt Huntington Station Routes 10, 29, 31 & 57	\$ <u>49.11/ton</u>
9.5 MM Hot Mix Asphalt Wellington Station Routes 6, 10, 122, 123 & 124	\$ <u>51.77/ton</u>
9.5 MM Hot Mix Asphalt Colton Station Routes 6, 96, 139, 157, 191 & 264	\$ <u>55.76/ton</u>
9.5 MM Hot Mix Asphalt Emery Station Routes 10 & I-70	\$ <u>51.77/ton</u>
12.5 MM Hot Mix Asphalt Green River Station Routes 19 & I-70	\$ <u>65.56/ton</u>
12.5 MM Hot Mix Asphalt Huntington Station Routes 31	\$ <u>57.81/ton</u>
12.5 MM Hot Mix Asphalt Wellington Station Routes 6	\$ <u>60.57/ton</u>
12.5 MM Hot Mix Asphalt Colton Station Routes 6, 96 & 191	\$ <u>63.56/ton</u>
12.5 MM Hot Mix Asphalt Emery Station Routes I-70	\$ <u>57.57/ton</u>

**ATTACHMENT C: ITEMIZED PRICE LIST**

<u>DESCRIPTION</u>		<u>UNIT PRICE</u>
Off-the-Shelf	Thompson Station Routes I-70 & SR 128	\$ <u>61.08/ton</u>
Off-the-Shelf	Green River Station Routes 19, 24 & I-70	\$ <u>53.76/ton</u>
Off-the-Shelf	Huntington Station Routes 10, 29, 31, 57 & 155	\$ <u>49.11/ton</u>
Off-the-Shelf	Wellington Station Routes 6, 10, 122, 123 & 124	\$ <u>51.77/ton</u>
Off-the-Shelf	Colton Station Routes 6, 96, 139, 157, 191 & 264	\$ <u>55.76/ton</u>
Off-the-Shelf	Emery Station Routes 10 & I-70	\$ <u>51.77/ton</u>
9.5 MM Hot Mix Asphalt	Pick up by State Forces	\$ <u>39.80/ton</u>
12.5 MM Hot Mix Asphalt	Pick up by State Forces	\$ <u>49.60/ton</u>
AC-10 or AC-20 Off-the-Shelf	Pick up by State Forces	\$ <u>39.80/ton</u>



G E N E R A L   C O N T R A C T O R S

P.O. Box 620 • 825 North Loop Road • Huntington, Utah 84528  
(435) 687-2494 • Fax (435) 687-9721

750 East Ridge Road • Price, Utah 84501  
(435) 636-0303

State of Utah  
Division of Purchasing  
Att. Debra Boulton  
May 17, 2006

Sem materials has asked for an oil increase , after original bid quantity are used.

64-34 item # 17 n. 18 n. 21 thru 25

From \$300.00 a ton to \$450.00 a ton

We use 11. 70 gallons per asphalt ton  
7.60 increase per ton

58-28 item # 3 n. 4 n. 9-14 n. 28 n. 29  
34-39

from \$225.00 a ton to \$325.00 a ton  
we use 13.50 gallons per asphalt ton

5.80 increase per ton

Sincerely,

Bobby Peirce



*Equal Employment Opportunity Company*

N . C .





Fax 435-687-9721

May 9, 2006

Nielson Construction Inc.  
P.O. Box 620  
Huntington, UT 84528  
Attn: Bobby Pierce

Dear Bobby:

Due to rising base material expenses our price for PG64-34 on the UDOT Maintenance Contract will increase from \$300 per US ton to \$450 per US ton, as soon as the original bid quantity is supplied (approximately 225 tons of liquid). Could you please request a price increase from UDOT to cover this increase?

If you need any further documentation for UDOT regarding the price increase let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read 'J. Hulse'.  
James Hulse



FAX 435-687-9721

May 15, 2006

Nielson Construction Inc.  
P.O. Box 620  
Huntington, UT 84528  
Attn: Bobby Pierce

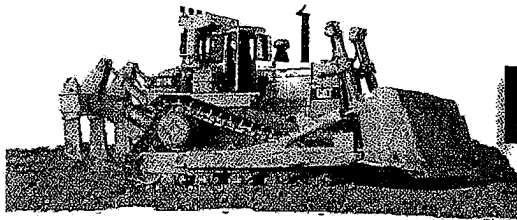
Dear Bobby:

I forgot to request a similar increase for the PG58-28 on the UDOT Maintenance Contract. The price will increase from \$225 to \$325 per US ton FOB Salt Lake City, UT. Could you please include the PG58-28 in your price increase to on the Utah Maintenance Contract?

Sincerely,

A handwritten signature in black ink, appearing to read 'James Hulst', written over a horizontal line.

James Hulst



# Nielson Construction

G E N E R A L   C O N T R A C T O R S

P.O. Box 620 • 825 North Loop Road • Huntington, Utah 84528  
(435) 687-2494 • Fax (435) 687-9721

750 East Ridge Road • Price, Utah 84501  
(435) 636-0303

State of Utah  
Division of Purchasing  
Attn: Debra Boulton

June 12, 2006

PG 58-22      Drop in Price \$34.00  
PG 64-34      Drop in Price \$42.00  
Fuel Increase 33%

	Increase Per Ton
Item #9 & 34 Thompson	\$5.28 a ton
Item # 10 & 21 & 35 Green River	\$3.96 a ton
Item # 11 & 22 & 36 Huntington	\$2.31 a ton
Item # 12 & 23 & 37 Wellington	\$2.97 a ton
Item # 13 & 24 & 38 Colton	\$3.96 a ton
Item # 14 & 25 & 39 Emery	\$2.97 a ton



*Equal Employment Opportunity Company*  
N . C .



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REF: 25-0527925

Page : 1 of 1

## Original Invoice

INVOICE NO. 625138918  
 DELIVERY DATE Dec 21, 2005 05:12:00  
 ACCOUNT NO. 6835175

SOLE CHEVRONTExaco PRODUCTS COMPANY,  
 BY A DIVISION OF CHEVRON U.S.A. INC.

SHIP TO NIELSON CONSTRUCTION  
 FOB: SALT LAKE TERMINAL  
 SALT LAKE CITY UT 84116

CHARGE TO NIELSON CONSTRUCTION  
 P.O. BOX 620  
 HUNTINGTON UT 84529-0620

DLVRD FROM SALT LAKE CITY UT TRM CHEVTEX  
 FOB ORIGIN FREIGHT COLLECT  
 WCK TRUCK  
 VIA HAYCOCK PETROLEUM COMPANY DBA JARDI  
 INVOICE DATE Dec 21, 2005  
 ORIGINAL DOCUMENT NO. 819911  
 SALES ORDER NO. 7040-1290334  
 BILLING QUESTIONS CALL 877-243-8457

Package			Tax Rates Included In Price			State		Quantity	UOM	Price USD	Amount USD
No.	Kind	Product Description	Federal	State	Local	S L T D C					
	BULK	CT LS CONV DF1 FEDERAL GAS/DIESEL TAX LOW SU 0.244000 LOCATIONDIFF-PERUNIT		0.245000		XX		1,313.00	GA	2.310010	3,033.04
		GROSS: 1,300.000 TEMP:40 API:42.90								0.017500	22.96-
		DIESEL FUEL DELIVERED DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE									
	BULK	CT LS CONV DF2 FEDERAL GAS/DIESEL TAX LOW SU 0.244000 LOCATIONDIFF-PERUNIT		0.245000		XX		3,923.00	GA	2.095000	8,218.69
		GROSS: 3,900.000 TEMP:47 API:35.80								0.017500	68.65-
		DIESEL FUEL DELIVERED DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE									

INVOICE TOTAL

AMOUNT OF 12,437.68, PAYMENT DUE ON OR BEFORE Jan 05, 2006

HOUSE ACCT NO:8018268

RECEIVED  
 DEC 21 2005

12,437.68

Please identify your payment by account number, invoice number and date. Send to:  
 CHEVRON FINANCE COMPANY  
 P.O. BOX 730402  
 DALLAS TX 75373-0402

MAKE CHECK PAYABLE TO:  
 CHEVRON FINANCE COMPANY

Normal terms are Net Cash - No Discount, unless otherwise specified.

Seller has included those federal, state and local taxes and fees on this invoice that to the best of seller's information, knowledge and belief, are applicable to this sale. Any tax or fee subsequently determined or discovered to be applicable to this sale and not included on this invoice for any reason (including without limitation, clerical error) will be billed to the purchaser at a later date.

Seller represents that with respect to the production of the articles and for the performance of the services covered by this invoice, it has fully complied with the

Fair Labor Standards Act of 1938, as amended.

TAX RATES INCLUDED IN PRICE: These columns contain the applicable tax rate if taxable "EXEMPT" is printed if an exemption applies, or blank when no tax applies.

## SALES TAX:

Blank - Not subject to tax.

1 - Subject to tax - amount appears below

2 - Subject to tax - amount appears on second tax line below

X - Exempt from applicable tax.





Page: 1

FEIN:25-0527925

SOLD BY: CHEVRON PRODUCTS COMPANY,  
A DIVISION OF CHEVRON U.S.A. INC.SHIP TO: NIELSON CONSTRUCTION  
DESTINATION STATE - UT  
FOB SALT LAKE CITY TERMINAL  
SALT LAKE CITY, UT 84125CHARGE TO: NIELSON CONSTRUCTION  
P.O. BOX 620  
HUNTINGTON, UT 84528-0620

## ORIGINAL INVOICE

INVOICE NO. : 626111783  
DELIVERY DATE: May 16, 2006 10:22:00  
ACCOUNT NO. : 8052795DLVRD FROM SALT LAKE CITY UT TRM CH  
FOB ORIGIN FREIGHT PREPAID  
XNCK TRUCK  
VIA HAYCOCK PETROLEUM COMPANY DBA JARDI  
INVOICE DATE May 16, 2006  
ORIGINAL DOCUMENT NO. 762184  
SALES ORDER NO. 4881-1290334  
DLVRD FROM SALT LAKE CITY UT TRM CHEVRON  
BILLING QUESTIONS CALL 877-243-8457

Package No. Kind	Product Description	Tax Rates Included in Price			SlsTax		Qty. UOM	Price (USD)	Amount (USD)
		Federal	State	Local	S I t o c				
BULK	CT HS CONV DF2 DYED FEDERAL OIL SPILL RECOV UT ENVIRONMENTAL SURCHA LOCATIONDIFF-PERUNIT	0.001000			1 1	11485 GA		2.623 0.00119 0.005 0.0175	30.125-16 13.67 57.43 -200.99
GROSS 11,550.000 TEMP 72.00 API 36.30									
DYED DIESEL FUEL, NONTAXABLE USE ONLY, PENALTY FOR TAXABLE USE.									
	STATE SALES TAX							\$ 4.75	1,424.23
	COUNTY SALES TAX							\$ 1.25	374.80
	OTHER SALES TAX							\$ 0.6	179.90
INVOICE TOTAL AMOUNT OF 31,574.20 , PAYMENT DUE ON OR BEFORE MAY 31, 2006									31,574.20
Please identify your payment by account number, invoice number and date. Send to:									
CHEVRON FINANCE COMPANY P.O. BOX 730402 DALLAS, TX 75373-0402						MAKE CHECK PAYABLE TO: CHEVRON FINANCE COMPANY			

Normal terms are Net Cash - No Discount, unless otherwise specified

Seller has included those federal, state, and local taxes and fees on this invoice that in the best of seller's information, knowledge, and belief, are applicable to this sale. Any tax or fee subsequently determined or discovered to be applicable to this sale and not included on this invoice for any reason (including without limitation, clerical error) will be billed to the purchaser at a later date.

Seller represents that with respect to the production of the articles and/or the performance of the services covered by this invoice, it has fully

complied with the Fair Labor Standards Act of 1938, as amended.

TAX RATES INCLUDED OR PRICE: These columns contain the applicable tax rate if taxable, "EXEMPT" is printed if an exemption applies, or blank when no tax applies.

## SALES TAX:

Blank - Not subject to tax.

1 - Subject to tax - amount appears below.

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X-CPS2A2(04/98)



Page: 1

FEIN:25-0527925

SOLD BY: CHEVRON PRODUCTS COMPANY,  
A DIVISION OF CHEVRON U.S.A. INC.

SHIP TO: NIELSON CONSTRUCTION  
POB: SALT LAKE TERMINAL  
SALT LAKE CITY, UT 84116

CHARGE TO: NIELSON CONSTRUCTION  
P.O. BOX 620  
HUNTINGTON, UT 84528-0620

### ORIGINAL INVOICE

INVOICE NO. : 626118781  
DELIVERY DATE: May 17, 2006 04:32:00  
ACCOUNT NO. : 6833178  
DLVRD FROM SALT LAKE CITY UT TRM CH  
FOB ORIGIN FREIGHT COLLECT  
XHCK TRUCK  
VIA HAYCOCK PETROLEUM COMPANY DBA JARDI  
INVOICE DATE May 17, 2006  
ORIGINAL DOCUMENT NO. 764109  
SALES ORDER NO. 4970-1290334  
DLVRD FROM SALT LAKE CITY UT TRM CHEVRON  
BILLING QUESTIONS CALL 877-243-8457

Package No. Kind	Product Description	Tax Rates Included in Price		SlsTax S L J C	Qty	UOM	Price (USD)	Amount (USD)
		Federal	State					
	BULK UT LS CONV DF2		0.243000	X X	12322	GA	2.831	34,893.58
	FEDERAL GAS/DIESEL TAX	0.244000						3,006.57
	FEDERAL OIL SPILL RECOV						0.00119	14.66
	LOCATIONWEIR-PERMIT						0.0175	-215.64
GROSS 12,399.000 TEMP 73.00 API 38.80								
DIESEL FUEL DELIVERED DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE								
INVOICE TOTAL								37,689.17
AMOUNT OF 37,689.17 . PAYMENT DUE ON OR BEFORE JUN 01, 2006								
Please identify your payment by account number, invoice number and date. Send to:					MAKE CHECK PAYABLE TO:			
CHEVRON FINANCE COMPANY P.O. BOX 730402 DALLAS, TX 75373-0402					CHEVRON FINANCE COMPANY			

Normal terms are Net Cash, - No Discount, unless otherwise specified.

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X-CPS2A2(04/98)